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SOURCE Dziennik Ustaw Rzeczypospolitej Polskiej (Journal of Laws of the Republic of Poland), No 46, 1949.

DECREE ON COMMODITY CONTROL

The following is the 5 August 1949 decree on the control of certain raw materials, semimanufactures, and finished commodities:

On the basis of Article 4 of the Constitutional Law of 10 February 1947 and the Law of 2 July 1949, the Council of Ministers resolves and the State Council ratifies the following:

Article 1. Raw materials, semimanufactures, and finished products which require purposeful distribution or consumption in the national economy may be designated controlled commodities.

Article 2. Controlled commodities are designated by the chairman of the State Economic Planning Commission in agreement with the appropriate Ministers.

The appropriate Minister, in agreement with the chairman of the State Economic Planning Commission, regulates the sale processing, accumulation, consumption, and transportation of controlled commodities.

Article 3. The distribution of controlled commodities is determined by the State Economic Planning Commission.

The chairman may delegate the distribution to wojewodztwo planning offices or other authorities.

Article 4. The respective Minister, in agreement with the chairman, may assign exclusive rights covering certain controlled commodities to appropriate institutions.

Article 5. In instances where a controlled commodity may be offered for sale without prior allocation, the Minister and chairman may establish the terms of the sale.

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Article 6. If the controlled commodity is limited to specified uses, it may not be used for other purposes without the consent of the authority responsible for the allocation or sale of the commodity.

Consent is not necessary under certain specified conditions. The chairman may extend the coverage of such exceptions.

Article 7. The chairman may require all in possession of the controlled commodity to register this fact.

The Minister and chairman set down conditions for the registration of such ownership.

The sale, processing, and consumption of controlled commodities must be authorized by permit. The Minister will determine the conditions for issuing such permits.

Article 8. The Minister and chairman may establish the rate of compensation applicable to duties delegated to respective state and private institutions in the distribution of controlled commodities.

Article 9. Those who fail to register ownership of controlled commodities within a specified term will be subject to a year's imprisonment or fine, or both.

Article 10. For the diversion or destruction of controlled commodities persons are liable to prison sentences up to 5 years and fines. For unintentional diversion or destruction, the penalty shall be up to a year's imprisonment or fine.

Article 11. Unauthorized sale or purchase of controlled commodities or unlawful uses thereof carry a maximum penalty of 3 years' imprisonment and fine.

Article 12. In case of conviction, the court may declare the commodity forfeited.

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